

# **EXHIBIT A**

**Stameshkin, Liz**

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**From:** Stameshkin, Liz  
**Sent:** Monday, September 30, 2024 3:25 PM  
**To:** Hartnett, Kathleen; Holden Benon; Ghazarian, Colette A; Lauter, Judd; Christopher Young; Aaron Cera; Cadio Zirpoli; Joseph Saveri; Margaux Poueymirou; Ashleigh Jensen; Rya Fishman; Matthew Butterick; Nada Djordjevic; James Ulwick; Bryan L. Clobes; Mohammed Rathur; Amy Keller; David Straite; Ruby Ponce; Alexander Sweatman; Heaven Haile; Llama\_BSF@bsfllp.com; jischiller@bsfllp.com; dboies@bsfllp.com; jpanuccio@bsfllp.com; mpritt@bsfllp.com  
**Cc:** Poppell, Cole A; Dunning, Angela L; Ghajar, Bobby A; Biksa, Liene; Alvarez, Jessica; mlemley@lex-lumina.com; Weinstein, Mark; z/Meta-Kadrey  
**Subject:** RE: Kadrey v. Meta - Proposal regarding reproduction of documents

Counsel,

As an exception to our normal processes and for this specific matter, without waiver, and in a further attempt to obviate any ongoing discovery dispute over this issue (including as to briefing today) we are prepared to offer the following as a compromise:

- For Google Suite .docx files, which we believe comprises the type of document you have requested re-review/re-production of in the motion being filed today, we originally produced those in TIFF. In view of your questions about some of the Google Suite files, we are prepared to produce those files with comments where comment authors/full text is not showing in the TIFFs as produced, and that do not have redactions, in native format.
- For the Google Suite .docx files with comments where comment authors/full text is not showing in the TIFFs as produced that have redactions, we are working with our vendor to locate a custom solution in an attempt to provide you with additional information for these files.
- To the extent there are other specific files that you believe require native or specialized production, we are happy to discuss with you as per the relevant provisions of the ESI Order.

Best,

Liz

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**From:** Hartnett, Kathleen <khartnett@cooley.com>  
**Sent:** Monday, September 30, 2024 9:47 AM  
**To:** Holden Benon <hbenon@saverilawfirm.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama\_BSF@bsfllp.com; jischiller@bsfllp.com; dboies@bsfllp.com; jpanuccio@bsfllp.com; mpritt@bsfllp.com  
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<zmetakadrey@cooley.com>

**Subject:** RE: Kadrey v. Meta - Planning for Monday's filing (Discovery Letter Brief)

Thank you, Holden. This works for us.

Thanks,  
Kathleen

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**From:** Holden Benon <[hbenon@saverilawfirm.com](mailto:hbenon@saverilawfirm.com)>

**Sent:** Monday, September 30, 2024 9:14 AM

**To:** Hartnett, Kathleen <[khartnett@cooley.com](mailto:khartnett@cooley.com)>; Ghazarian, Colette A <[cghazarian@cooley.com](mailto:cghazarian@cooley.com)>; Lauter, Judd <[jlauter@cooley.com](mailto:jlauter@cooley.com)>; Christopher Young <[cyoung@saverilawfirm.com](mailto:cyoung@saverilawfirm.com)>; Aaron Cera <[aCera@saverilawfirm.com](mailto:aCera@saverilawfirm.com)>; Cadio Zirpoli <[czirpoli@saverilawfirm.com](mailto:czirpoli@saverilawfirm.com)>; Joseph Saveri <[jsaveri@saverilawfirm.com](mailto:jsaveri@saverilawfirm.com)>; Margaux Poueymirou <[mpoueymirou@saverilawfirm.com](mailto:mpoueymirou@saverilawfirm.com)>; Ashleigh Jensen <[ajensen@saverilawfirm.com](mailto:ajensen@saverilawfirm.com)>; Rya Fishman <[rfishman@saverilawfirm.com](mailto:rfishman@saverilawfirm.com)>; Matthew Butterick <[mb@buttericklaw.com](mailto:mb@buttericklaw.com)>; Nada Djordjevic <[ndjordjevic@dicellolevitt.com](mailto:ndjordjevic@dicellolevitt.com)>; James Ulwick <[Julwick@dicellolevitt.com](mailto:Julwick@dicellolevitt.com)>; Bryan L. Clobes <[BClobes@caffertyclobes.com](mailto:BClobes@caffertyclobes.com)>; Mohammed Rathur <[MRathur@caffertyclobes.com](mailto:MRathur@caffertyclobes.com)>; Amy Keller <[akeller@dicellolevitt.com](mailto:akeller@dicellolevitt.com)>; David Straite <[dstraite@dicellolevitt.com](mailto:dstraite@dicellolevitt.com)>; Ruby Ponce <[rponce@saverilawfirm.com](mailto:rponce@saverilawfirm.com)>; Alexander Sweatman <[ASweatman@caffertyclobes.com](mailto:ASweatman@caffertyclobes.com)>; Heaven Haile <[hhaile@saverilawfirm.com](mailto:hhaile@saverilawfirm.com)>; Llama BSF <[bsf@bsfllp.com](mailto:bsf@bsfllp.com)>; jischiller@bsfllp.com; dboies@bsfllp.com; jpanuccio@bsfllp.com; mpritt@bsfllp.com

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**Subject:** RE: Kadrey v. Meta - Planning for Monday's filing (Discovery Letter Brief)

**[External]**

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Kathleen—Below is a further proposed briefing schedule for today. This is largely based on the schedule Judd initially proposed.

If we can get Meta's agreement before then, then we can compromise to make 10am work:

- **On or before 10:00 am** – Plaintiffs will provide their statement.
- **On or before 6:00 pm** – Meta will provide its statement, along with all declarations and/or exhibits it will rely on.
- **On or before 8:00 pm** – Plaintiffs will complete revisions to their statement, if any, along with all declarations and/or exhibits they will rely on.
- **On or before 9:00 pm** – Meta will provide further revisions, if any, or its approval to file.
- **On or before 10:30 pm** – The parties will make best efforts to finalize and file the letter.

(As I noted below, the initial draft will have citations and references to the evidentiary support we'll be relying on—we just need time to prepare the exhibits and we can share those in the evening. We reserve the right to add additional evidentiary support in responding to Meta's position.)

Please let us know if this works for your team.

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**From:** Hartnett, Kathleen <[khartnett@cooley.com](mailto:khartnett@cooley.com)>

**Sent:** Monday, September 30, 2024 8:58 AM

**To:** Holden Benon <[hbenon@saverilawfirm.com](mailto:hbenon@saverilawfirm.com)>; Ghazarian, Colette A <[cghazarian@cooley.com](mailto:cghazarian@cooley.com)>; Lauter, Judd <[jlauter@cooley.com](mailto:jlauter@cooley.com)>; Christopher Young <[cyoung@saverilawfirm.com](mailto:cyoung@saverilawfirm.com)>; Aaron Cera <[aCera@saverilawfirm.com](mailto:aCera@saverilawfirm.com)>; Cadio Zirpoli <[czirpoli@saverilawfirm.com](mailto:czirpoli@saverilawfirm.com)>; Joseph Saveri <[jsaveri@saverilawfirm.com](mailto:jsaveri@saverilawfirm.com)>; Margaux Poueymirou <[mpoueymirou@saverilawfirm.com](mailto:mpoueymirou@saverilawfirm.com)>; Ashleigh Jensen <[ajensen@saverilawfirm.com](mailto:ajensen@saverilawfirm.com)>; Rya Fishman <[rfishman@saverilawfirm.com](mailto:rfishman@saverilawfirm.com)>; Matthew Butterick <[mb@buttericklaw.com](mailto:mb@buttericklaw.com)>; Nada Djordjevic <[ndjordjevic@dicellolevitt.com](mailto:ndjordjevic@dicellolevitt.com)>; James Ulwick <[Julwick@dicellolevitt.com](mailto:Julwick@dicellolevitt.com)>; Bryan L. Clobes <[BClobes@caffertyclobes.com](mailto:BClobes@caffertyclobes.com)>; Mohammed Rathur <[MRathur@caffertyclobes.com](mailto:MRathur@caffertyclobes.com)>; Amy Keller <[akeller@dicellolevitt.com](mailto:akeller@dicellolevitt.com)>; David Straite <[dstraite@dicellolevitt.com](mailto:dstraite@dicellolevitt.com)>; Ruby Ponce <[rponce@saverilawfirm.com](mailto:rponce@saverilawfirm.com)>; Alexander Sweatman <[ASweatman@caffertyclobes.com](mailto:ASweatman@caffertyclobes.com)>; Heaven Haile <[hhaile@saverilawfirm.com](mailto:hhaile@saverilawfirm.com)>; Llama BSF <[bsf@bsflp.com](mailto:bsf@bsflp.com)>; jischiller@bsflp.com; dboies@bsflp.com; jpanuccio@bsflp.com; mpritt@bsflp.com

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**Subject:** RE: Kadrey v. Meta - Planning for Monday's filing (Discovery Letter Brief)

Thank you, Holden – we agree re 10 pages and sorry re the error there!

Kathleen

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**From:** Holden Benon <[hbenon@saverilawfirm.com](mailto:hbenon@saverilawfirm.com)>

**Sent:** Sunday, September 29, 2024 11:20 PM

**To:** Hartnett, Kathleen <[khartnett@cooley.com](mailto:khartnett@cooley.com)>; Ghazarian, Colette A <[cghazarian@cooley.com](mailto:cghazarian@cooley.com)>; Lauter, Judd <[jlauter@cooley.com](mailto:jlauter@cooley.com)>; Christopher Young <[cyoung@saverilawfirm.com](mailto:cyoung@saverilawfirm.com)>; Aaron Cera <[aCera@saverilawfirm.com](mailto:aCera@saverilawfirm.com)>; Cadio Zirpoli <[czirpoli@saverilawfirm.com](mailto:czirpoli@saverilawfirm.com)>; Joseph Saveri <[jsaveri@saverilawfirm.com](mailto:jsaveri@saverilawfirm.com)>; Margaux Poueymirou <[mpoueymirou@saverilawfirm.com](mailto:mpoueymirou@saverilawfirm.com)>; Ashleigh Jensen <[ajensen@saverilawfirm.com](mailto:ajensen@saverilawfirm.com)>; Rya Fishman <[rfishman@saverilawfirm.com](mailto:rfishman@saverilawfirm.com)>; Matthew Butterick <[mb@buttericklaw.com](mailto:mb@buttericklaw.com)>; Nada Djordjevic <[ndjordjevic@dicellolevitt.com](mailto:ndjordjevic@dicellolevitt.com)>; James Ulwick <[Julwick@dicellolevitt.com](mailto:Julwick@dicellolevitt.com)>; Bryan L. Clobes <[BClobes@caffertyclobes.com](mailto:BClobes@caffertyclobes.com)>; Mohammed Rathur <[MRathur@caffertyclobes.com](mailto:MRathur@caffertyclobes.com)>; Amy Keller <[akeller@dicellolevitt.com](mailto:akeller@dicellolevitt.com)>; David Straite <[dstraite@dicellolevitt.com](mailto:dstraite@dicellolevitt.com)>; Ruby Ponce <[rponce@saverilawfirm.com](mailto:rponce@saverilawfirm.com)>; Alexander Sweatman <[ASweatman@caffertyclobes.com](mailto:ASweatman@caffertyclobes.com)>; Heaven Haile <[hhaile@saverilawfirm.com](mailto:hhaile@saverilawfirm.com)>; Llama BSF <[bsf@bsflp.com](mailto:bsf@bsflp.com)>; jischiller@bsflp.com; dboies@bsflp.com; jpanuccio@bsflp.com; mpritt@bsflp.com

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**Subject:** RE: Kadrey v. Meta - Planning for Monday's filing (Discovery Letter Brief)

**[External]**

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Thanks, Kathleen. We disagree with those characterizations and we'll respond to Meta's position on timing in due course.

Regarding the page limitation, the Court was quite clear that the brief can be up to ten pages. 9/25 Hr'g Tr. at 26:18-22 ("Then I order the parties to file a joint discovery letter brief discussing the issues that were raised at this hearing today by Monday, September 30th, and the joint discovery letter brief should be no more than 10 pages, with five pages per side.").

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**From:** Hartnett, Kathleen <[khartnett@cooley.com](mailto:khartnett@cooley.com)>

**Sent:** Sunday, September 29, 2024 11:04 PM

**To:** Holden Benon <[hbenon@saverilawfirm.com](mailto:hbenon@saverilawfirm.com)>; Ghazarian, Colette A <[cghazarian@cooley.com](mailto:cghazarian@cooley.com)>; Lauter, Judd <[jlauter@cooley.com](mailto:jlauter@cooley.com)>; Christopher Young <[cyoung@saverilawfirm.com](mailto:cyoung@saverilawfirm.com)>; Aaron Cera <[aCera@saverilawfirm.com](mailto:aCera@saverilawfirm.com)>; Cadio Zirpoli <[czirpoli@saverilawfirm.com](mailto:czirpoli@saverilawfirm.com)>; Joseph Saveri <[jsaveri@saverilawfirm.com](mailto:jsaveri@saverilawfirm.com)>; Margaux Poueymirou <[mpoueymirou@saverilawfirm.com](mailto:mpoueymirou@saverilawfirm.com)>; Ashleigh Jensen <[ajensen@saverilawfirm.com](mailto:ajensen@saverilawfirm.com)>; Rya Fishman <[rfishman@saverilawfirm.com](mailto:rfishman@saverilawfirm.com)>; Matthew Butterick <[mb@buttericklaw.com](mailto:mb@buttericklaw.com)>; Nada Djordjevic <[ndjordjevic@dicellolevitt.com](mailto:ndjordjevic@dicellolevitt.com)>; James Ulwick <[Julwick@dicellolevitt.com](mailto:Julwick@dicellolevitt.com)>; Bryan L. Clobes <[BClobes@caffertyclobes.com](mailto:BClobes@caffertyclobes.com)>; Mohammed Rathur <[MRathur@caffertyclobes.com](mailto:MRathur@caffertyclobes.com)>; Amy Keller <[akeller@dicellolevitt.com](mailto:akeller@dicellolevitt.com)>; David Straite <[dstraite@dicellolevitt.com](mailto:dstraite@dicellolevitt.com)>; Ruby Ponce <[rponce@saverilawfirm.com](mailto:rponce@saverilawfirm.com)>; Alexander Sweatman <[ASweatman@caffertyclobes.com](mailto:ASweatman@caffertyclobes.com)>; Heaven Haile <[hhaile@saverilawfirm.com](mailto:hhaile@saverilawfirm.com)>; Llama BSF <[bsf@bsfllp.com](mailto:bsf@bsfllp.com)>; jischiller@bsfllp.com; dboies@bsfllp.com; jpanuccio@bsfllp.com; mpritt@bsfllp.com

**Cc:** Poppell, Cole A <[CPoppell@cooley.com](mailto:CPoppell@cooley.com)>; Dunning, Angela L. <[adunning@cgsh.com](mailto:adunning@cgsh.com)>; Ghajar, Bobby A. <[bghajar@cooley.com](mailto:bghajar@cooley.com)>; Biksa, Liene <[lbiksa@cooley.com](mailto:lbiksa@cooley.com)>; Alvarez, Jessica <[jalvarezlopez@cooley.com](mailto:jalvarezlopez@cooley.com)>; mlemley@lex-lumina.com; Weinstein, Mark <[mweinstein@cooley.com](mailto:mweinstein@cooley.com)>; Stameshkin, Liz <[lstameshkin@cooley.com](mailto:lstameshkin@cooley.com)>; z/Meta-Kadrey <[zmetakadrey@cooley.com](mailto:zmetakadrey@cooley.com)>

**Subject:** RE: Kadrey v. Meta - Planning for Monday's filing (Discovery Letter Brief)

Holden,

Thanks for your email. We disagree that the process for our prior briefs was adequate. Among other things, in connection with prior joint letter briefs, Plaintiffs have significantly pivoted from earlier positions and presented new arguments and documents for the first time after Meta had prepared a statement addressing what it understood Plaintiffs position to be. As such, we think it makes sense for the moving party to submit their section first so that the opposing party knows what they are responding to. This is how the process for filing a joint discovery letter would normally be conducted, and, in fact, was the procedure adopted on Meta's first motion to compel, when Plaintiffs provided their statement 12 days after receiving Meta's. We look forward to your section tomorrow and will send you our draft response as soon as we're able thereafter. To make sure we're on the same page, we're planning for an 8-page brief in total.

Thanks,  
Kathleen

**Kathleen R. Hartnett**

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Pronouns: she, her, hers

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**From:** Holden Benon <[hbenon@saverilawfirm.com](mailto:hbenon@saverilawfirm.com)>

**Sent:** Sunday, September 29, 2024 8:29 PM

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**Subject:** RE: Kadrey v. Meta - Planning for Monday's filing (Discovery Letter Brief)

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Colette,

Thanks for your email. Meta has not explained how its proposal would be an improvement on the process for the prior joint letter briefs, nor has it explained why the briefs that were prepared earlier this month under the simultaneous exchange approach created any issues. In fact, Meta agreed to follow the simultaneous exchange approach when briefing the motion for a protective order regarding the deposition Mark Zuckerberg, a motion brought by Meta. No one from your team raised any complaint with that process. There is nothing to suggest the process was anything but cooperative and orderly.

We've been working diligently on our initial draft so that it can be ready to circulate as soon as possible; however, it's unlikely we will be in a position to circulate before 12pm tomorrow.

As for our proposal that the parties provide exhibits with their revised statements, the vast majority of the substantive factual material that we'll rely on will be referenced in the initial draft that we'd circulate at 12pm tomorrow. The exhibits that we may submit in the next exchange would simply provide support for this. Plaintiffs reserve the right to point to additional factual support to address arguments contained in Meta's initial statement.

Thanks,  
Holden

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**From:** Ghazarian, Colette A <[cghazarian@cooley.com](mailto:cghazarian@cooley.com)>

**Sent:** Friday, September 27, 2024 3:14 PM

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**Subject:** RE: Kadrey v. Meta - Planning for Monday's filing

Holden,

Our proposed schedule is intended to align more closely with standard motion practice, and we consider it an improvement on the process for the prior joint letter briefs. We also have concerns with Plaintiffs' proposal that the parties provide their complete sets of evidentiary support with their revised statements. As Plaintiffs are bringing this motion, Meta must know Plaintiffs' positions before it can respond to them.

As an offer of compromise, we would be willing to adjust the schedule so that Plaintiffs provide their statement Sunday evening and Meta provides its portion earlier on Monday (by 3pm), to provide additional time for revisions:

1. **On or before 7:00 pm on Sunday, September 29** – Plaintiffs will provide their statement, along with all declarations and/or exhibits they will rely on.
1. **On or before 3:00 pm on Monday, September 30** – Meta will provide its statement, along with all declarations and/or exhibits it will rely on.
1. **On or before 5:00 pm on Monday, September 30** – Plaintiffs will complete revisions to their statement, if any.
1. **On or before 7:00 pm on Monday, September 30** – Meta will provide further revisions, if any, or its approval to file.
1. **On or before 9:00 pm on Monday, September 30** – The parties will make best efforts to finalize and file the letter.

Please let us know if this is agreeable to Plaintiffs.

Thank you,  
Colette

**Colette Ghazarian**

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**From:** Holden Benon <[hbenon@saverilawfirm.com](mailto:hbenon@saverilawfirm.com)>

**Sent:** Friday, September 27, 2024 1:02 PM

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**Subject:** RE: Kadrey v. Meta - Planning for Monday's filing

[External]

Judd,

Our counter proposal is attached. This proposal is more in line with how the parties conducted the last round of joint letter briefs following the telephonic conference with Judge Hixson earlier this month. We can all agree that process worked smoothly.

Holden

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**From:** Lauter, Judd <[jlauter@cooley.com](mailto:jlauter@cooley.com)>

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**Subject:** Kadrey v. Meta - Planning for Monday's filing

Counsel,

In advance of the parties' joint letter on Monday, and to ensure an orderly exchange of statements, we propose that the parties informally agree to a schedule ahead of time. To that end, we propose the following.

1. **On or before 9:00 am** – Plaintiffs will provide their statement, along with all declarations and/or exhibits they will rely on.



1. **On or before 5:00 pm** – Meta will provide its statement, along with all declarations and/or exhibits it will rely on.
1. **On or before 6:30 pm** –Plaintiffs will complete revisions to their statement, if any.
1. **On or before 7:30 pm** – Meta will provide further revisions, if any, or its approval to file.
1. **On or before 9:00 pm** – The parties will make best efforts to finalize and file the letter.

Please let us know if Plaintiffs agree. Otherwise, if Plaintiffs have other ideas, please let us know what you have in mind.

Best regards,  
Judd

**Judd Lauter**

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